

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

BOIES SCHILLER FLEXNER, LLP,

Plaintiff,

-against-

1:17-CV-1082 (LEK/CFH)

TUTOR PERINI CORPORATION,

Defendant.

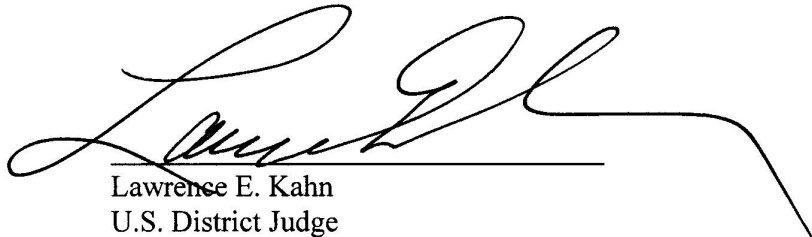
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**ORDER**

On September 27, 2017, defendant Tutor Perini removed the state court action captioned Boies Schiller Flexner, LLP v. Tutor Perini Corp., Index No. 5882-17, from the Supreme Court of the State of New York, Albany County to this Court. Dkt. No. 1 (“Notice of Removal”). Defendant now moves to remand the case to state court pursuant to 28 U.S.C. § 1447(c). Dkt. No. 5 (“Remand Motion”). Because this Court lacks subject matter jurisdiction over this action, id. ¶ 4, the Remand Motion is **GRANTED**, and this case is **REMANDED** to Supreme Court, Albany County.

**IT IS SO ORDERED.**

DATED:       October 05, 2017  
              Albany, New York

  
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Lawrence E. Kahn  
U.S. District Judge